

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

KEISHA BANKS,

Plaintiff,

v.

ALAMANCE-BURLINGTON
BOARD OF EDUCATION,

Defendant(s).

1:23CV1112

ORDER

The Order and Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and, on June 20, 2024, was served on the parties in this action. (ECF Nos. 18, 19). Plaintiff filed Objections to the Magistrate Judge's Recommendation on July 5, 2024. (ECF No. 20.)

The Court has reviewed Plaintiff's Objections and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. The Court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Defendant Alamance-Burlington Board of Education's Amended Motion to Dismiss Plaintiff's Complaint, (ECF No. 10), is **GRANTED IN PART AND DENIED IN PART**. The motion is **GRANTED** as it relates to Plaintiffs' state law intentional infliction of emotional distress claim for lack of jurisdiction due to governmental immunity, or alternatively for failure to state such a claim, but otherwise **DENIED**.

This, the 22nd day of July 2024.

/s/ Loretta C. Biggs

United States District Judge